

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

STARRED QUESTION NO:645
ANSWERED ON:11.05.2005
WRONG DIAGNOSIS BY HOSPITALS
Singh Shri Sugrib

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government is aware that cases of wrong diagnosis of diseases by hospitals particularly by private hospitals are increasing as reported in the Times of India dated April13, 2005;
- (b) if so, the details of such cases reported during 2004-2005 till date;
- (c) whether there is any mechanism to check the recurrence of such incidents;
- (d) if so, the details thereof ; and
- (e) the steps taken to fix the responsibility of hospitals particularly of private hospitals charging huge amount by wrong diagnosis of diseases?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS)

(a) to (e) A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 645 FOR 11TH MAY, 2005

The News-item appearing in the Times of India dated 13th April, 2005 relates to a specific case of 1992 wherein a patient named Shri K.L. Bhola with complaint of chest pain was diagnosed as heart attack and was treated accordingly at Khera Hospital, a Private hospital in New Delhi. However, on a follow up at Dr. R.M.L. Hospital he was informed by the Cardiologist that there was no cardiac problem. Based on the above facts, the State Consumer Disputes Redressal Commission of Delhi has directed Khera Hospital to pay compensation to Shri K.L. Bhola. Based on aforesaid case, it cannot be concluded that there has been an increase in the cases of wrong diagnosis by Hospitals.

Health being a State subject, it is for the State Government to regulate/monitor the functioning of its hospitals including private hospitals as well as to ensure that they comply with the norms/regulations prescribed by the respective State Governments as well as to take punitive action against Private Hospitals/Doctors in cases of proven unethical and unscrupulous conduct. The aggrieved party can also take recourse to legal remedies under the Consumer Protection Act, 1986 which covers the Private Hospitals/Private Medical Practitioners for any proven act of unethical and unscrupulous nature.

There is an inbuilt mechanism in the Central Government hospitals to improve their functioning by way of inspections, supervisions and review meetings. A complaint and grievance cell is also in existence in each of the hospital to monitor and to redress the complaints received from the patients.

In addition, as per the Indian Medical Council (Professional conduct, Etiquette and Ethics) Regulations, 2002, complaints with regard to professional misconduct can be brought before the Medical Council of India or the concerned State Medical Council, as the case may be, for disciplinary action. If found guilty, the appropriate Medical Council may award such punishment as deemed necessary or may direct the removal altogether or for a specified period from the register of the name of the delinquent Registered Medical Practitioner.